

# EXHIBIT C

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

----- X

**NATE MCMURRAY, a Candidate for Congress and  
as an Enrolled Democratic Party Voter In Erie  
County, PAULINE GRABEKI, as an Enrolled  
Republican Party Voter in Erie County, and  
RONALD COONS, as an Enrolled Democratic Party  
Voter in Erie County, individually and on behalf of a  
Class of Erie County Voters Similarly Situated,**

**Plaintiffs,**

**- against -**

**RALPH M. MOHR and JEREMY J. ZELLNER,  
individually and as COMMISSIONERS of the ERIE  
COUNTY BOARD OF ELECTIONS, and the ERIE  
COUNTY BOARD OF ELECTIONS,**

**Defendants**

----- X

Case No. 20-cv-0689 (LJV)

**FIRST AMENDED  
VERIFIED CLASS  
ACTION COMPLAINT**

Plaintiffs, as and for their First Amended Verified Complaint, allege the following by  
their undersigned attorneys:

**INTRODUCTION**

1. Plaintiffs bring this action for immediate injunctive relief in order to address the violation of their First Amendment and Fourteenth Amendment protected voting and associational rights, as candidates and voters, to rely on and utilize the Early Voting procedures added by the New York Legislature in 2019, now codified in 8-600 of the New York Election Law, and to have Early Voting administered in a way in the Special Election being held in the 27<sup>th</sup> Congressional District in a manner which does not disadvantage voters in Erie County.

2. The Erie County Board of Elections, and its Commissioners, who are charged with informing the voters of the location, dates, and hours of operation of all polling places

for early voting, failed to do so in a manner required by law, and in a manner which all other Boards of Election in the State engaged in.

3. Not until June 9, 2020, after the Defendants had been served with the papers in this case, less than a week before early voting is scheduled to start, did the Erie County Board of Elections, and its Commissioners list the dates, times and places of early voting on the Board's website, much less engage in other methods of informing the voters of how to exercise their rights, an exercise made all the more difficult this year by the Coronavirus pandemic. Every other Board of Elections in the eight-county 27<sup>th</sup> Congressional District had done this.

4. Like in Second Circuit's June 1, 2020 decision in *Yang v. Kosinski*, \_\_\_ F3d \_\_\_, 2020 WL 2820179 (June 1, 2020), an immediate injunction is needed to compel the Defendants to inform the voters, in a meaningful way, of their opportunities to vote early throughout Erie County, information which voters in other counties in the 27<sup>th</sup> Congressional District have had.

### **JURISDICTION**

5. This Court's jurisdiction is invoked pursuant to 28 USC §1331 and 42 USC §1983. The Court's pendant jurisdiction is also invoked.

### **PARTIES**

6. Plaintiffs NATE McCURRAY and RONALD COONS, at all times mentioned, were and are now duly qualified voters of the State of New York residing in Grand Island, New York and Lake View, New York, respectively, and entitled to vote in Erie County, New York, and both are enrolled in the Democratic Party, and both reside in New York's 27<sup>th</sup> Congressional District. Plaintiffs sue individually and on behalf of all other enrolled voters similarly situated.

7. Plaintiff PAULINE GRABEKEI, at all times mentioned, was and is now a duly qualified voter of the State of New York residing in Hamburg, NY, within New York's 27<sup>th</sup>

Congressional District, and is entitled to vote in Erie County, New York, and is enrolled in the Republican Party. Plaintiff sues individually and on behalf of all other enrolled voters similarly situated.

8. NATE McMURRAY is also the Democratic nominee for Congress in the 27<sup>th</sup> Congressional District in the June 2020 Special Congressional District election.

9. Each plaintiff is also an enrolled voter, entitled to vote in the Special Election for Congress in the 27<sup>th</sup> Congressional District (“27<sup>th</sup> CD”), which is scheduled to conclude on June 23, 2020, and the Democratic or Republican primary election for various offices in Erie County, also scheduled to conclude on June 23, 2020. McMurray and Coons are also eligible to vote in the NY Democratic Presidential Primary, scheduled to be held on June 23, 2020.

10. Defendant ERIE COUNTY BOARD OF ELECTIONS (the “Board”) is constituted pursuant to the New York State Election Law and is charged with the responsibility of administering all elections within Erie County, including the 2020 Special Congressional Election in the 27<sup>th</sup> Congressional District and the Democratic and Republican Primaries being held in June 2020. The Board is located at 134 West Eagle Street, Buffalo, New York.

11. Defendants RALPH M. MOHR and JEREMY J. ZELLNER, are Commissioners of the Erie County Board of Elections.

### **CLASS ACTION ALLEGATIONS**

12. Plaintiffs bring their Federal Free Speech and Equal Protection causes of action on behalf of a class of similarly situated persons, to wit: enrolled voters of all parties in New York’s 27<sup>th</sup> Congressional District, who are eligible to vote in the June 2020 Special Congressional Election in that District.

13. A class action is appropriate because:



- a. The class is so numerous that joinder of all members is impracticable;
- b. There are questions of law or fact common to each class;
- c. The claims or defenses of the representative parties are typical of the claims or defenses of each class;
- d. The representative parties will fairly and adequately protect the interests of each class;
- e. Inconsistent or varying adjudications with respect to individual members of the class would establish incompatible standards of conduct for the parties opposing each class;
- f. Adjudications with respect to individual members of each class would as a practical matter be dispositive of the interests of the other members not parties to the adjudications or substantially impair or impede their ability to protect their interests; and
- g. The parties opposing each class have acted or refused to act on grounds generally applicable to the class, thereby making appropriate final injunctive relief or corresponding declaratory relief with respect to each class as a whole.

### **FACTS**

14. As a result of the resignation for former Congressman Chris Collins in October 2019, voters in the 27<sup>th</sup> CD, which incorporates all or part of eight New York counties, shall be voting in a Special Election on June 23<sup>rd</sup> to fill the vacant Congressional seat until January 1, 2021.

15. Erie County includes 211,000 voters who are enrolled to vote in the 27<sup>th</sup> CD, which means that it includes 40% of the enrolled voters in the entire 27<sup>th</sup> CD. The remainder of the 27<sup>th</sup> CD includes 503,000 voters. (Source: NY State Board of Elections Website, at <https://www.elections.ny.gov/EnrollmentCD.html>.)

16. The Special Election was originally scheduled for April 28, 2020, but was postponed, by the State Legislature, on or about April 3, 2020, until June 23, 2020 due to the COVID-19 pandemic.

17. In November 2018 Plaintiff McMurray ran against former Congressman Collins, and lost by a vote of 141,146 to 139,059, a margin of 1087 votes.

18. Effective January 24, 2019, the NY State Legislature amended the Election Law at Section 8-60 to provide, for the first time ever, for Early Voting in the State of New York. The relevant provisions of the statute provide as follows:

*1. Beginning the tenth day prior to any general, primary, run-off primary pursuant to subdivision one of section 6-162 of this chapter or special election for any public or party position except for such an election held pursuant to title two of article six or article fifteen of this chapter, and ending on and including the second day prior to such general, primary, run-off primary or special election for such public office or party position, persons duly registered and eligible to vote at such election shall be permitted to vote as provided in this title. The board of elections shall establish procedures, subject to approval of the state board of elections, to ensure that persons who vote during the early voting period shall not be permitted to vote subsequently in the same election.*

*2. (a) The board of elections shall designate polling places for early voting, which may include the offices of the board of elections, for persons to vote early pursuant to this title. There shall be so designated at least one early voting polling place for every full increment of fifty thousand registered voters in each county; provided, however, the number of early voting polling places in a county shall not be required to be greater than seven, and a county with fewer than fifty thousand voters shall have at least one early voting polling place.*

*(b) The board of elections of each county or the city of New York may establish additional polling places for early voting in excess of the minimum number required by this subdivision for the convenience of eligible voters.*

*(c) Notwithstanding the minimum number of early voting poll sites otherwise required by this subdivision, for any primary or special election, upon majority vote of the board of elections, the number*

*of early voting sites may be reduced when the board of elections determines a lesser number of sites is sufficient to meet the needs of early voters.*

*(d) Polling places for early voting shall be located so that voters in the county have adequate and equitable access, taking into consideration population density, travel time to the polling place, proximity to other early voting poll sites, public transportation routes, commuter traffic patterns and such other factors the board of elections deems appropriate. The provisions of section 4-104 of this chapter, except subdivisions four and five of such section, shall apply to the designation of polling places for early voting except to the extent such provisions are inconsistent with this section.*

*3. Any voter may vote at any polling place for early voting established pursuant to subdivision two of this section in the county where such voter is registered to vote; provided, however, if it is impractical to provide each polling place for early voting all of the election district ballots or if early voting at any such polling place makes ensuring that no voter has not previously voted early during such election, the board of elections may assign election districts to a particular early voting poll site. All voters in each county shall have one or more polling places at which they are eligible to vote throughout the early voting period on a substantially equal basis. If the board of elections does not agree by majority vote to plan to assign election districts to early voting poll sites, all voters in the county must be able to vote at any poll site for early voting in the county.*

*4. (a) Polls shall be open for early voting for at least eight hours between seven o'clock in the morning and eight o'clock in the evening each weekday during the early voting period.*

*(b) At least one polling place for early voting shall remain open until eight o'clock in the evening on at least two weekdays in each calendar week during the early voting period. If polling places for early voting are limited to voters from certain areas pursuant to subdivision three of this section, polling places that remain open until eight o'clock shall be designated such that any person entitled to vote early may vote until eight o'clock in the evening on at least two week days during the early voting period.*

*(c) Polls shall be open for early voting for at least five hours between nine o'clock in the morning and six o'clock in the evening on each Saturday, Sunday, and legal holiday during the early voting period.*

*(d) Nothing in this section shall be construed to prohibit any board of elections from establishing a greater number of hours*

*for voting during the early voting period beyond the number of hours required in this subdivision.*

*(e) Early voting polling places and their hours of operation for early voting at a general election shall be designated by May first of each year pursuant to subdivision one of section 4-104 of this chapter. Notwithstanding the provisions of subdivision one of section 4-104 of this chapter early voting polling places and their hours of operation for early voting for: (i) a primary or special election shall be made not later than forty-five days before such primary or special election; and (ii) a run-off primary pursuant to subdivision one of section 6-162 of this chapter shall be made as soon as practicable.*

***5. Each board of elections shall create a communication plan to inform eligible voters of the opportunity to vote early. Such plan may utilize any and all media outlets, including social media, and shall publicize: the location and dates and hours of operation of all polling places for early voting; an indication of whether each polling place is accessible to voters with physical disabilities; a clear and unambiguous notice to voters that if they cast a ballot during the early voting period they will not be allowed to vote election day; and if polling places for early voting are limited to voters from certain areas pursuant to subdivision three of this section, the location of the polling places for early voting serving the voters of each particular city, town or other political subdivision.*** (Emphasis supplied.)

19. Prior to April 3, 2020, the Erie County Board of Elections had not given eligible voters any public notice of the Early Voting locations for the April 28, 2020 Special Election, even though the Defendant Board had been deemed “essential” and had to process designating petitions for the various party primaries scheduled for June 23, 2020.

20. The McMurray Campaign made efforts to contact all County Boards of Election throughout May and early June to ascertain the location of Early Voting and discover the manner in which the public was being informed.

21. By late May 2020 all of the other county Boards of Elections other than Erie had posted on their websites the information the public needed in order to vote early, which is an alternative to voting by mail, even for those who have requested a Mail-in ballot. Annexed as

Exhibit A is the response received from Genesee County on May 30, 2020 and the information on its website. Annexed as Exhibit B is the information received from the Monroe County BOE on May 22 and the information posted on its website. Annexed as Exhibit C is the information received from the Wyoming County BOE on May 29, 2020, and the information on its website. Annexed as Exhibit D is the information posted on the Niagara County BOE website before the end of May 2020. Annexed as Exhibit E is the information posted on the Ontario County BOE website before the end of May 2020. Annexed as Exhibit F is the information posted on the Livingston County BOE website before the end of May 2020. Annexed as Exhibit G is an email which accompanied all Early Voting Information in Orleans County which was transmitted to the McMurray Campaign on June 1, 2020.

22. Plaintiff McMurray's staff regularly checked with the Defendants, and their staff. One such email, sent on May 28, 2020, to Justin Rooney, and Erie County BOE Deputy Commissioner, is annexed as Exhibit H. It was met with no response. Similar requests for the information requests up through June 5, 2020 were met with no response.

23. As of Monday June 8, 2020 the Defendant Commissioners had not caused the Defendant Board to engage in **any** communications with the enrolled voters about the dates of Early Voting, the polling locations open for Early Voting, the hours of Early Voting, or the accessibility of Early Voting locations. The Defendant Board does not even have a list of such dates, times and locations on its website, an utter abrogation of its responsibility to conduct a fair and democratic election. This has occurred even though the Board sent out notice of the procedure for applying for an absentee ballot in early May 2020 to every voter, an action taken pursuant to an Executive Order issued by Governor Andrew Cuomo.

24. Because of the COVID-19 epidemic, early voting is **one** of the safe ways for citizens to engage in their right to vote. The provision of numerous dates, at numerous locations throughout the county, is a means of avoiding long lines and potentially crowded voting locations on Election Day, especially for those who for various reasons choose not to seek an absentee ballot. Over 60% of the voters in Erie County have not applied for an absentee ballot, 220,000 out of 635,000 enrolled voters (see Board of Elections website at <https://www.elections.ny.gov/EnrollmentCounty.html>).

25. On June 8, 2020 a copy of the Complaint, the Motion for a TRO and Preliminary Injunction, and a copy of the Proposed Order granting injunctive relief, was emailed, at the request of the Defendant Board of Elections, to Jeremy Toth at the County Attorneys Office. This was memorialized in a Declaration filed with the Court on the morning of June 9, 2020, when this proceeding was formally commenced. Attorney Toth indicated that the Commissioners were meeting on the evening of June 8, 2020 to discuss the then unfiled lawsuit.

26. On June 9, 2020, after this action was commenced, for the first time, the Defendant Board of Election posted the Early Voting information.

27. The placement of early voting information on the Defendant Board's website four days before voting was to begin was not intended to give timely and meaningful notice to voters, it was intended to cause the dismissal of this lawsuit.

28. As demonstrated above, the Boards of Election in every other county in the 27<sup>th</sup> Congressional District have done far more extensive notification of voters about early voting dates, locations and times. This means that these voters have had far more notice, and certainly more meaningful notice, of early voting information, than voters in Erie County.

29. As a consequence, the voters in Erie County have been put at a disadvantage vis-à-vis the voters of the other seven counties.

30. Furthermore, candidate McMurray, who held elective office in Erie County, and whose base of support is in Erie County, has been put at a disadvantage because of the laggardly manner in which Defendants have given notice to the voters in Erie County, especially as compared to the Boards of Election in all other counties in the 27<sup>th</sup> Congressional District.

31. Early Voting, by statute, is scheduled to start on Saturday June 13, 2020. The Defendants have no plan

32. The assistance of this Court is needed in order to compel the Defendants to carry out their responsibilities under Election Law 8-600 so that the voters of Erie County have notice about early voting qualitatively equal to that given to voters in all of the other counties in the 27<sup>th</sup> Congressional District. In order to remediate its failure to communicate a voting plan to the eligible voting population, including Plaintiffs and the class they represent, the Board needs to immediately:

a. place an advertisement in all general circulation newspapers in Erie County indicating all Early Voting locations and dates of Early Voting for the 2020 27<sup>th</sup> District Congressional Special Election and the 2020 NY Democratic Presidential Primary, and all other Democratic and Republican Party Primaries being held in Erie County in 2020; and

b. mail notice of all Early Voting locations, and dates of Early Voting in Erie County, for the 2020 27<sup>th</sup> Congressional District Special Election, the 2020 NY Democratic Presidential Primary, and all other Democratic and Republican Party Primaries being held in Erie County in 2020, to all registered voters.

**IRREPARABLE INJURY**

33. As stated above, early voting is scheduled to start on Saturday June 13, 2020.



34. Unless the Board is not directed to give immediate notice to voters about the availability and location of early voting, voters will be deprived of their full and equal right to vote, and Candidate McMurray will be deprived of the votes of people in his home county who will only vote if they can do so at less crowded, early voting sites.

35. Failure to achieve the relief requested will cause irreparable injury to all Plaintiffs and the class of Erie County voters they represent.

36. No prior application for the relief sought herein has been made in this or any other court other than be the actions discussed above.

**AS AND FOR A FIRST CAUSE OF ACTION**

*(Application of the Statute violated U.S. Constitution First Amendment;  
New York State Constitution Suffrage and Free Speech Violations)*

37. Plaintiffs hereby repeat, re-allege, and incorporate by reference all the facts stated in foregoing paragraphs.

38. Each of the Plaintiffs is a voter who wishes to vote in an election where franchise is allowed to the fullest extent of the law.

39. Under the First Amendment to the U.S. Constitution, and the Free Speech and Free Suffrage provisions of the New York State Constitution, laws and actions under the law which burden rights of access to the ballot must survive strict scrutiny. In other words, the state actors must advance compelling, precise interest to justify denial of access to the ballot, and the mechanism to forward that interest must be narrowly tailored to that interest, and further must be the least restrictive alternative available to serve that same interest.

40. Defendants' acts and omissions as detailed herein fail to meet that standard in ways including, but not limited to the following: Defendants have failed to take any meaningful action to notify voters of the location, dates and times of Early Voting.



41. As a result of the acts and omissions complained of herein, Plaintiffs have suffered a deprivation of their Federal and State Constitutional Free Speech Right, and their Suffrage Rights Under the NY State Constitution.

**AS AND FOR A SECOND CAUSE OF ACTION**

*(Denial of Equal Protection of the Law as Guaranteed by the 14<sup>th</sup> Amendment*

42. By acting, and failing to act as described above, Defendants have deprived Plaintiffs and the class they represent of Equal Protection of the Law, as guaranteed by the 14<sup>th</sup> Amendment, in that the voters in the other counties in the 27<sup>th</sup> Congressional District have been better informed of the opportunities for Early Voting.

**PRAYER FOR RELIEF**

Plaintiffs pray that this Court:

1. SET EXPEDITED HEARINGS on Plaintiffs' applications for a Temporary Restraining Order and a Preliminary Injunction.

2. GRANT A TEMPORARY RESTRAINING ORDER and/or PRELIMINARY INJUNCTION *pending the hearing of Plaintiffs' Motion* for a Preliminary Injunction, to immediately place an advertisement in all general circulation newspapers and other news outlets in Erie County indicating all Early Voting locations and dates of Early Voting for the 2020 27<sup>th</sup> District Congressional Special Election and the 2020 NY Democratic Presidential Primary, and all other Democratic and Republican Party Primaries being held in Erie County in 2020; prohibiting Defendants from failing to immediately mail notice of all Early Voting locations, and dates of Early Voting in Erie County, for the for the 2020 27<sup>th</sup> Congressional District Special Election, the 2020 NY Democratic Presidential Primary, and all other Democratic and Republican Party Primaries being held in Erie County in June 2020, to all registered voters in Erie County.

3. GRANT A PERMANENT INJUNCTION prohibiting Defendants from failing, prior to the November 2020 General Election, to give voters timely and meaningful notice of all Early Voting locations, and dates of Early Voting in Erie County.

4. GRANT such other relief as the Court may deem appropriate.

5. AWARD costs and attorneys' fees.

Dated: June 11, 2020

Respectfully submitted,

ADVOCATES FOR JUSTICE  
Attorneys for Plaintiffs

By: /s/ Arthur Z. Schwartz

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**VERIFICATION**

Nate McMurray, an attorney at law, and one of the plaintiffs, declares under penalty of perjury, that he has personal knowledge of the facts as set forth herein; that he has read the foregoing Petition and knows the contents thereof; and that the same are true to his own knowledge, except as to matters stated to be alleged upon information and belief, and as to those matters, he believes it to be true.

Dated: June 11, 2020

/s/ Nate McMurray

Nate McMurray

Genessee



## McMurray request 5/29

Erica O'Donnell <cityofbataviadems@gmail.com>

Sat, May 30, 2020 at 10:03 PM

To: Austin Morgan <austin@votemcmurray.com>, Karen Gannon <karen.gannon@co.genessee.ny.us>

Hi Austin,

I copied Karen in on this thread. Most of the questions I can answer.

Covid procedures, and Karen can correct me if I'm wrong, masks are required at all polling places and social distancing will be practiced. You will be required to use hand sanitizer when you enter the polling place.

All early voting in Genessee County takes place at County Building 1 3837 W Main St Rd Batavia. The early voting dates and times are below.

Presidential Primary/Special Election/Federal & Local Primary, June 23, 2020

Saturday, June 13, 2020 – 12pm-5pm

Sunday, June 14, 2020 – 12pm-5pm

Monday, June 15, 2020 – 9am-5pm

Tuesday, June 16, 2020 – 12pm-8pm

Wednesday, June 17, 2020 – 12pm-8pm

Thursday, June 18, 2020 – 9am-5pm

Friday, June 19, 2020 – 9am-5pm

Saturday, June 20, 2020 – 12pm-5pm

Sunday, June 21, 2020 – 12pm-5pm

Here is the complete list of polling places for election day.

City of Batavia

Ward I Dist.01-01 The Salvation Army, 529 E. Main St

01-02 The Salvation Army, 529 E. Main St

01-03 The Salvation Army, 529 E. Main St

Ward II Dist.02-01 Richmond Memorial Library, 19 Ross St

02-02 Richmond Memorial Library, 19 Ross St

Ward III Dist.03-01 Senior Center, 2 Bank St

03-02 Senior Center, 2 Bank St

Ward IV Dist.04-01 ARC Community Center, 38 Woodrow Rd

04-02 ARC Community Center, 38 Woodrow Rd

04-03 ARC Community Center, 38 Woodrow Rd

Ward V Dist.05-01 Ascension Parish, 15 Sumner St

05-02 Ascension Parish, 15 Sumner St

05-03 Ascension Parish, 15 Sumner St

Ward VI Dist.06-01 Ascension Parish, 15 Sumner St

06-02 Ascension Parish, 15 Sumner St

Towns

Alabama Dist.10-01 Alabama Fire Dept Rec Hall, 2230 Judge Rd

10-02 Alabama Fire Dept Rec Hall, 2230 Judge Rd

Alexander Dist.11-01 Alexander Fire Dept Rec Hall, 10708 Route 98

11-02 Alexander Fire Dept Rec Hall, 10708 Route 98

Batavia Dist.12-01 Batavia Town Hall, 3833 West Main Rd

12-02 Batavia Town Hall, 3833 W Main Rd

Ex A

12-03 Richard C. Call Arena (GCC), 1 College Rd  
 12-04 County Bldg. II, 3837 W. Main St. Rd  
 Bergen Dist. 13-01 Bergen Town Hall, 10 Hunter St  
 13-02 Bergen Town Hall, 10 Hunter St  
 Bethany Dist. 14-01 Bethany Community Center, 10510 Bethany Ctr Rd  
 Byron Dist. 15-01 Byron Town Hall, 7028 Route 237  
 15-02 Byron Town Hall, 7028 Route 237  
 Darien Dist. 16-01 Darien Town Hall, 10569 Allegany Rd  
 16-02 Darien Town Hall, 10569 Allegany Rd  
 Elba Dist. 17-01 Elba Fire Hall, 4 So Main St  
 17-02 Elba Fire Hall, 4 So Main St  
 Le Roy Dist. 18-01 Masonic Community Center, 12 Bank St  
 18-02 Masonic Community Center, 12 Bank St  
 18-03 Masonic Community Center, 12 Bank St  
 18-04 Masonic Community Center, 12 Bank St  
 18-05 Knights of Columbus Hall, 15 W Main St  
 18-06 Knights of Columbus Hall, 15 W Main St  
 18-07 Knights of Columbus Hall, 15 W Main St  
 18-08 Knights of Columbus Hall, 15 W Main St  
 Oakfield Dist. 19-01 Oakfield Town Hall, 3219 Drake St  
 19-02 Oakfield Town Hall, 3219 Drake St  
 19-03 Oakfield Town Hall, 3219 Drake St  
  
 Pavilion Dist. 20-01 Pavilion Town Hall  
 20-02 Pavilion Town Hall  
 Pembroke Dist. 21-01 St. Maximilian Kolbe (Holy Name)  
 21-02 Corfu Fire Hall, 116 E Main St  
 21-03 Pembroke Town Hall, 1145 Route 5  
 21-04 Pembroke Town Hall, 1145 Route 5  
 Stafford Dist. 22-01 New Town Hall, 8903 Route 237  
 22-02 New Town Hall, 8903 Route 237  
 22-03 New Town Hall, 8903 Route 237

On Fri, May 29, 2020 at 9:40 AM Austin Morgan <austin@votemonmurray.com> wrote:  
 Hi Erica,

For some reason my email was blocked getting to Karen. Could you help me get the request to her? The full election cycle lists will be important for getting things straight going into June, and I've been asked to get the early vote, election day, and COVID-19 procedures info in writing. Let me know if I should send again, to another email, or something else. Thanks!

On Fri, May 29, 2020 at 8:22 AM Austin Morgan <austin@votemonmurray.com> wrote:  
 Good morning Karen and Erica,

Thanks for being so wonderful in responding to our data requests--Genesee Co. certainly shines, especially compared to some other BOEs. In order to make sure we've got a strong foundation going into June, I'm requesting the following:

- A list of ALL voters who have applied for an absentee ballot in the NY-27 special election since January 1 to today's date
- A list of ALL voters who have been sent a ballot to vote in the NY-27 special election
- A list of ALL voters who have returned their ballot for the NY-27 special election

If you could make these 3 separate lists, that would be wonderful. With these lists, please include County ID, name, address, DOB, and phone numbers.

In addition, we are requesting the following information:

- A list of locations, along with dates and associated times, for early voting
- A list of finalized locations for voting on election day

- A list or description of procedures that voters will need to follow to vote in-person (e.g., mask, gloves, sanitation, distance, etc.)

Thank you again for all your help so far. Going into June we'll be needing daily updates for the three lists above to keep our campaign up to speed and the public informed. We've been doing everything possible to educate on absentee voting, walk voters through the application process, and generally calm anxieties over the changes this election cycle. I know you've been hard at work keeping this election on the rails, and we're so grateful for everything you continue to do to bolster the democratic process in this difficult time. Please let me know if you have questions or need any clarification on the above.

Austin Morgan  
Field Director  
Nate McMurray for Congress  
(716) 353-5405  
*He, Him, His*

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Austin Morgan  
Field Director  
Nate McMurray for Congress  
(716) 353-5405  
*He, Him, His*

*Clerks*

## **Early Voting – 2020**

### **County Building 2**

### **3837 W. Main St. Rd., Batavia**

#### Presidential Primary/Special Election/Federal & Local Primary, June 23, 2020

Saturday, June 13, 2020 – 12pm-5pm

Sunday, June 14, 2020 – 12pm-5pm

Monday, June 15, 2020 – 9am-5pm

Tuesday, June 16, 2020 – 12pm-8pm

Wednesday, June 17, 2020 – 12pm-8pm

Thursday, June 18, 2020 – 9am-5pm

Friday, June 19, 2020 – 9am-5pm

Saturday, June 20, 2020 – 12pm-5pm

Sunday, June 21, 2020 – 12pm-5pm

#### General Election, November 3, 2020

Saturday, October 24, 2020 – 12pm-5pm

Sunday, October 25, 2020 – 12pm-5pm

Monday, October 26, 2020 – 9am-5pm

Tuesday, October 27, 2020 – 12pm-8pm

Wednesday, October 28, 2020 – 12pm-8pm

Thursday, October 29, 2020 – 9am-5pm

Friday, October 30, 2020 – 9am-5pm

Saturday, October 31, 2020 – 12pm-5pm

Sunday, November 1, 2020 – 12pm-5pm

Monroe



Austin Morgan &lt;austin@votemcmurray.com&gt;

## McMurray campaign 5/20

Austin Morgan &lt;austin@votemcmurray.com&gt;

To: Lashana D Boose &lt;LaShanaBoose@monroecounty.gov&gt;

Fri, May 22, 2020 at 9:08 AM

Good morning LaShana,

Just noticing that the ballot returned lists I've got don't include County ID--can you send me a full list of ballots returned with that column? Thanks!

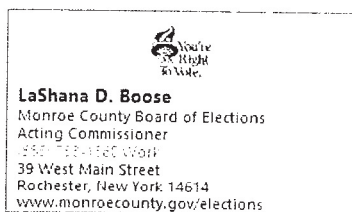
On Wed, May 20, 2020 at 12:11 PM Lashana D Boose &lt;LaShanaBoose@monroecounty.gov&gt; wrote:

Good afternoon:

We have reached out to the Health Dept to review our recommendations for voters during this election and will have that information out in the coming weeks. Below is the list of sites for early voting for all Monroe County Voters. Let me know if you have any additional questions. Thank you

City/Town	Venue	Address 1	Address 2
City NE-LD 25	City of Rochester Recreation Bureau, 2nd Flr	57 St Paul St	Rochester NY 14604
City NE-LD 22	David F Gantt Community Center	700 North St	Rochester NY 14605
City S-LD 27	Arnett Branch Library	310 Arnett Blvd	Rochester NY 14619
City NW-LD 28	City of Rochester Water Department	10 Felix St	Rochester NY 14608
Brighton	SUNY Empire State College	680 Westfall Rd	Rochester NY 14620
Chili	St Christopher's Church	3350 Union St	N Chili NY 14514
Greece	North Greece Road Church of Christ	1039 N Greece Rd	Rochester NY 14626
Henrietta	Marketplace Mall, North Entrance	1 Miracle Mile Dr	Rochester NY 14623
Irondequoit	Irondequoit Public Library	1290 Titus Ave	Rochester NY 14617
Penfield	Penfield Town Hall	3100 Atlantic Ave	Penfield NY 14526
Perinton	Perinton Square Mall	6720 Pittsford Palmyra Rd	Fairport NY 14450
Webster	Webster Recreation Center	1350 Chiyoda Dr	Webster NY 14580

Kindest regards,



"Voting is how we participate in a civic society." Loretta Lynch

From: Austin Morgan &lt;austin@votemcmurray.com&gt;

Sent: Wednesday, May 20, 2020 10:58 AM

To: Lashana D Boose &lt;LaShanaBoose@monroecounty.gov&gt;

Subject: McMurray campaign 5/20

CAUTION: This email originated from outside Monroe County systems. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi LaShana,

Thanks again for helping straighten out my records requests, I'm now receiving applications submitted/ballots sent and ballots returned. Perfect!

Exhib, + B



Can you give me the info on early voting for NY-27 voters in Monroe Co? Are there specific procedures that voters will need to know about for in-person voting? And have poll locations been decided for election day?

Feel free to reply here or give me a call at the number below. Thanks so much!

Austin Morgan

Field Director

Nate McMurray for Congress

(716) 353-5405

*He, Him, His*

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--

Austin Morgan  
Field Director  
Nate McMurray for Congress  
(716) 353-5405  
*He, Him, His*

Monroe



## McMurray request 5/27

**Lashana D Boose** <LaShanaBoose@monroecounty.gov>  
To: Austin Morgan <austin@votemcmurray.com>

Wed, May 27, 2020 at 5:19 PM

Good afternoon:

A separate email will be sent out in regards to the information related to voters in the 27<sup>th</sup> Congressional District, with the volume of applications being received, I cannot confirm that we will be able to provide daily updates but we will do our best. Our Early Voting locations and times are listed on the website (<https://www2.monroecounty.gov/elections-earlyvoting>). We are working on our list of election day sites. Please note that there will be a consolidation of sites as soon as it has been finalized, we will be sure to share. Additionally, we are in the process of drafting sanitation procedures for polling sites. I can confirm that we plan to have gloves, masks and sanitizer for poll workers, also masks and sanitizer for voters.

I will be sure to keep you updated as we get closer to the election. Thank you

Kindest regards,



**LaShana D. Boose**

Monroe County Board of Elections  
Acting Commissioner

39 West Main Street  
Rochester, New York 14614  
[www.monroecounty.gov/elections](http://www.monroecounty.gov/elections)

**"Voting is how we participate in a civic society." Loretta Lynch**

**From:** Austin Morgan <austin@votemcmurray.com>  
**Sent:** Wednesday, May 27, 2020 4:16 PM  
**To:** Lashana D Boose <LaShanaBoose@monroecounty.gov>  
**Subject:** McMurray request 5/27

CAUTION: This email originated from outside Monroe County systems. Exercise caution when opening attachments or clicking links, especially from unknown senders.

~~~~~  
Hi LaShana, happy Wednesday!

Sorry for this long message, but we want to make sure everything is set going into June. Thanks in advance! If you could send me the following lists:

- A list of ALL voters who have applied for an absentee ballot in the NY-27 special election since January 1st to today's date
- A list of ALL voters who have been sent a ballot to vote in the NY-27 special election
- A list of ALL voters who have returned their ballot for the NY-27 special election

With these lists, please include County ID, name, address, DOB, and phone numbers. If you have to send these by email or via the Monroe Co online system, either is fine.

In addition, we are requesting the following information (I know you sent EV locations to me last week, and you may not have some of the below info, just let me know what you do have and we'll wait on the rest):

- A list of locations, along with dates and associated times, for early voting
- A list of finalized locations for voting on election day
- A list or description of procedures that voters will need to follow to vote in-person (e.g., mask, gloves, sanitation, distance, etc.)

Thank you again for all your help so far. Going into June we'll be needing daily updates for the three lists above to keep our campaign up to speed and the public informed. We've been doing everything possible to educate on absentee voting, walk voters through the application process, and generally calm anxieties over the changes this election cycle. I know you've been hard at work keeping this election on the rails, and we're so grateful for everything you continue to do to bolster the democratic process in this difficult time. Please let me know if you have questions or need any clarification on the above.

Austin Morgan

Field Director

Nate McMurray for Congress

(716) 353-5405

*He, Him, His*

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LaShana D Boose.vcf  
8K

# Early Voting



## EARLY VOTING IN NEW YORK STATE

The November General Election in 2019 provided the first Early Voting opportunity in New York State. Early Voting is available to all voters in Monroe County. Each year voting patterns are evaluated and adjustments made in locations and hours to further accommodate voters.

Voters are able to choose to vote at any site in the county. Voters could choose to vote at an Early Voting center near their workplace or school instead of near their home. Each site flexible enough to accommodate larger or smaller numbers of voters as needed during the nine-day period of Early Voting.

Use of Electronic Poll Books (E-Poll Books) used during the November 2019 Early Voting period will continue. E-Poll Books make certain voters only vote once, and are not able to go to another center and cast a ballot or go to a district site on Election Day. The E-Poll Books communicate via a secure network connection and only transmit non-personal information to update files. Based on where a voter lives, the E-Poll Books make certain voters are with given the correct ballot for the district they are registered, and reside in. Voters complete and scan their ballots utilizing the scanners used on Election Day. Ballot marking devices are available at all sites for voters who require assistance marking their ballot, along with well-trained staff.

The Legislation passed to implement Early Voting and provide for the use of E-Poll Books has several voter protections attached to it. The New York State Board of Elections detailed regulations build on those protections to make certain that New York's elections remain secure and ensure that every vote is counted.

None of the votes cast at an Early Voting center are counted until Election Day. Standards for protecting ballots and memory cards are extensive. A daily audit of each Early Voting center was required to establish and ensure that records of both blank and cast ballots matched the number of voters that used a center daily.

Affidavits (provisional ballots) available on Election Day are also available at Early Voting centers to make sure everyone completes a ballot even if for some reason they were not in our files. Early Voting centers function much like a normal polling site on Election Day but with more staff and heightened expertise.

We continue to strive to provide for a better voter experience and greater turnout, giving voters more options of when and where they can vote.

## Locations for Early Voting in Monroe County in 2020:

- City of Rochester Recreation Bureau - 57 St. Paul St., 2nd Floor, Rochester, NY 14604
- David F. Gantt Community Center - 700 North St., Rochester, NY 14605
- Arnett Branch Library - 310 Arnett Blvd., Rochester, NY 14619
- City of Rochester Water Department - 10 Felix St., Rochester, NY 14608
- SUNY Empire State College - 680 Westfall Rd., Rochester, NY 14620
- North Greece Road Church of Christ - 1039 N. Greece Rd., Rochester, NY 14626
- Marketplace Mall, North Entrance - 1 Miracle Mile Dr., Rochester, NY 14623
- Irondequoit Public Library - 1290 Titus Ave., Rochester, NY 14617
- Dolomite Lodge at Veterans Memorial Park - 3100 Atlantic Ave., Penfield, NY 14526
- Perinton Square Mall - 6720 Pittsford Palmyra Rd., Fairport, NY 14450
- Lodge at Sweden Town Park - 4761 Redman Rd., Brockport, NY 14420

Webster Recreation Center - 1350 Chiyoda Dr., Webster, NY 14580

### **Dates for Early Voting in Monroe County in 2020:**

|                    |                  |
|--------------------|------------------|
| Saturday, June 13  | 9:00 am-3:00 pm  |
| Sunday, June 14    | 10:00 am-6:00 pm |
| Monday, June 15    | 9:00 am-6:00 pm  |
| Tuesday, June 16   | 11:00 am-8:00 pm |
| Wednesday, June 17 | 9:00 am-6:00 pm  |
| Thursday, June 18  | 11:00 am-8:00 pm |
| Friday, June 19    | 9:00 am-6:00 pm  |
| Saturday, June 20  | 9:00 am-3:00 pm  |
| Sunday, June 21    | 9:00 am-2:00 pm  |

### **General Election (November 3, 2020)**

Saturday, October 24, 2020 – Sunday, November 1, 2020

***(Times to be Announced)***

Wyoming



## Lists

**Joanna Bush** <jbush@wyomingco.net>  
To: Austin Morgan <austin@votemcmurray.com>  
Cc: Hank Bush <hbush@wyomingco.net>

Fri, May 29, 2020 at 2:41 PM

Austin,

The requested info is attached. The requested ballots will be the same as the mailed ballots. Our list of polling places is attached as well, as of right now we are good to go with all of those places but some changes could occur. Our procedures for the poll sites have no changed at this point yet.

Thanks,

Joanna Bush

Deputy Commissioner

Wyoming County Board of Elections

Phone: 585 786 8931

Fax: 585 786 8843

### 3 attachments

**DOC052920-001.pdf**  
40K

**SEABRQs.xls**  
1030K

**SEReturned.xls**  
285K

Ex.C.



## Lists

**Joanna Bush** <jbush@wyomingco.net>  
To: Austin Morgan <austin@votemcmurray.com>  
Cc: Hank Bush <hbush@wyomingco.net>

Wed, May 20, 2020 at 8:17 AM

Austin,

The lists are attached... the list of requests would be the same as the list mailed. We are currently working on actually mailing those though. I would expect all 2000+ to be in the mail by this weekend.

Early Voting in Wyoming County is taking place at our Board of Elections, 4 Perry Ave Warsaw NY.

Saturday June 13th – 10Am until 3PM

Sunday June 14th – 10 AM until 3PM

Monday June 15th - 8AM until 4PM

Tuesday June 16th - 8AM until 4PM

Wednesday June 17th - 8AM until 8PM

Thursday June 18th – 8AM until 8PM

Friday June 19th – 8AM until 4PM

Saturday June 20th – 10AM until 3PM

Sunday June 21st – 10 AM until 3PM

We'll be requiring all voters to wear masks, if someone comes in and doesn't have one we will provide them with one. Voters will be required to sanitize their hands before coming in and when leaving. We're still working on more in depth procedures, I can send them to you once we have finalized our plans.

Thanks,

Joanna Bush

Deputy Commissioner

Wyoming County Board of Elections

Phone: 585 786 8931

Fax: 585 786 8843

**2 attachments**



*from wds, K.*

## **2019 General Election Early Voting FAQ**

For the 2019 November general election, you can vote in person before Election Day.

### **What is Early Voting?**

For the first time in New York State, voters can vote in-person before Election Day at one or more voting sites in their county.

### **Who can vote early?**

All registered voters can vote early.

### **When can I vote early?**

Early Voting in New York State will begin prior to the November 5th General Election. The early voting period will be from: Saturday, October 26, 2019 through Sunday November 3, 2019.

### **Where can I vote early?**

Wyoming County Board of Elections  
4 Perry Ave  
Warsaw, NY 14569

All Wyoming County registered voters may access this site. Site is accessible to those with disabilities.

### **How will I vote during early voting?**

Voting during early voting is the same as voting on Election Day. When you get to the early voting center, you will check in to vote, receive your ballot and vote as any other election.

There will be instructions available at the early voting centers to familiarize you with the ballot. There will also be a notice to voter and bill of rights. You may ask an election inspector to explain how to vote, or if you need any assistance.

**If you vote during the early voting period, you are not eligible to vote on Election Day.**

### **When will early voting results be posted?**

Early voting votes will be canvassed and reported after 9pm on Tuesday, November 5, 2019.



## Niagara County Board of Elections

« ATTENTION VOTERS: April 28th Elections Postponed (https://elections.niagara.ny.us/2020/03/31/april-28th-elections-postponed-june-23rd/) Executive Orders for June 23rd Elections (https://elections.niagara.ny.us/2020/05/19/executive-orders-june-23rd-elections/) »



# Early Voting for June 23rd 2020 Elections

### Early Voting Poll Sites for 27<sup>th</sup> Congressional Special Election & Primary Election June 23, 2020:

#### **Saint John De LaSalle Center**

8469 Buffalo Avenue

Niagara Falls NY 14304

\*site is accessible to voters with physical disabilities

#### **Cornell Cooperative Extension (Niagara County Fair Grounds)**

4487 Lake Ave

Lockport NY 14094

\*site is accessible to voters with physical disabilities

The sites listed for early voting are open to All registered voters in the 27<sup>th</sup> Congressional District and All Democratic, Republican, Conservative, Working Families, Green, Libertartian, Independence, and Sam Parties for the Primary Election in Niagara County.

#### **Early Voting dates and times:**

Saturday, June 13, 2020: 10:00am to 3:00pm

Sunday, June 14, 2020: 10:00am to 3:00pm

Monday, June 15, 2020: 12:00pm to 8:00pm

Tuesday, June 16, 2020: 12:00pm to 8:00pm  
Wednesday, June 17, 2020: 9:00am to 5:00pm  
Thursday, June 18, 2020: 7:00am to 3:00pm  
Friday, June 19, 2020: 7:00am to 3:00pm  
Saturday, June 20, 2020: 10:00am to 3:00pm  
Sunday, June 21, 2020: 10:00am to 3:00pm

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Lora Allen

Democratic Commissioner

---

Jennifer Sandonato

Republican Commissioner

May 5, 2020 (<https://elections.niagara.ny.us/2020/05/05/early-voting-june-23rd-2020-elections/>) / In Uncategorized  
(<https://elections.niagara.ny.us/category/uncategorized/>) / By Tom Paolangeli (<https://elections.niagara.ny.us/author/tom/>) / Comments Off

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[HOME \(HTTPS://ELECTIONS.NIAGARA.NY.US/\)](https://elections.niagara.ny.us/)

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New York Web Design (<https://newbirddesign.com/>) by Newbird Design (<https://newbirddesign.com/>)



Ontario County - Website.

## Board of Elections

### New! June 23, 2020 Primary and Special Election Polling Place Changes

***Due to the COVID 19 pandemic, the following changes in poll locations will take place on June 23, 2020 for this election only. Polls will be open from 6 am until 9 pm.***

| MUNICIPALITY               | CLOSED LOCATION        | NEW LOCATION                                |
|----------------------------|------------------------|---------------------------------------------|
| City of Geneva Ward 5      | Hydrant Hose           | FLCC Geneva, 63 Pulteney St.                |
| Farmington Districts 1 & 2 | Fire Station #1        | Farmington Town Hall, 1000 Co Rd 8          |
| Town of Geneva District 2  | Northside Fire         | Geneva Town Hall, 3750 Co Rd 6              |
| Manchester District 3      | Port Gibson Fire Hall  | Manchester Town Hall                        |
| Phelps District 3          | Oaks Corners Fire Hall | Phelps Firemen Hall, 79 Ontario St          |
| Victor Districts 2 & 3     | Fishers Fire Hall #2   | Victor Town Hall, 85 E Main St              |
| Victor District 8          | Autumn Grove           | Gypsum Mills Community, 6392 Plastermill Rd |
| West Bloomfield            | WB Fire Station        | Ionia Fire Station, 8338 Co Rd 14           |

***Post cards will be mailed to voters impacted by the necessary changes the week of June 8th.***

***Please contact the Ontario County Board of Elections with any questions at 585-396-4005***

Dear Ontario County Voter,

- On April 24, 2020, Gov. Cuomo directed the NYS Board of Elections to mail a postage-paid application for an absentee ballot to all eligible voters, giving **voters the option** to vote by mail for the upcoming June 23<sup>rd</sup> elections.
- The Ontario County wide elections are:
  - Republican Primary, 131st Assembly District
  - Democratic Presidential Primary
  - Additionally, the 27th Congressional District has a "Special Election" and a Republican Primary for 27th Congressional District.

EXHIBIT E

- If voters choose to vote by mail, they should choose "Temporary illness" on the application to receive a ballot. The application is for **June elections only and should be mailed back as soon as possible.**
- If you prefer to vote in person: **Early voting** will be available at the Ontario County Board of Elections, 2930 County Road 48, Canandaigua, NY.

| DATE          | DAY       | TIME                           |
|---------------|-----------|--------------------------------|
| June 13, 2020 | Saturday  | Polls will be open 9am to 2pm  |
| June 14, 2020 | Sunday    | Polls will be open 9am to 2pm  |
| June 15, 2020 | Monday    | Polls will be open 9am to 5pm  |
| June 16, 2020 | Tuesday   | Polls will be open 12pm to 8pm |
| June 17, 2020 | Wednesday | Polls will be open 12pm to 8pm |
| June 18, 2020 | Thursday  | Polls will be open 10am to 6pm |
| June 19, 2020 | Friday    | Polls will be open 9am to 5pm  |
| June 20, 2020 | Saturday  | Polls will be open 9am to 2pm  |
| June 21, 2020 | Sunday    | Polls will be open 9am to 2pm  |

Call the Board of Elections if you have questions, 585-396-4005.

Thank you.

## **Board of Elections Relocation**

Download a Voter Registration form by clicking on the Register to VOTE! icon below!  
(Prints on regular letter size paper).



**Register to VOTE!**



**Become an Election Inspector!**

### **Related Documents**

- [2020 Election Inspector NEW Printable Application](#)
- [Voter Registration Form](#)
- [Absentee Ballot Application](#)
- [Campaign Finance FAQ's](#)

**MILITARY & OVERSEAS  
VOTERS, CLICK HERE!**

## Contact Us

Board of Elections

[Email](#)

Democratic Commissioner

Charles Evangelista

[Email](#)

Republican Commissioner

Michael Northrup

[Email](#)

2930 County Rd 48

Canandaigua, NY 14424

[Map](#)

Ph: (585) 396-4005

Hours

8:30 am - 5:00 pm

Monday - Friday

## Quick Links

- [Military Absentee Ballot](#)
- [Election Inspector Training Documents](#)
- [NYSVoter Public Information - Voter Registration Search](#)

Livingston County  
web site

## Early Voting

### EARLY VOTING

#### **2020 Presidential/Federal/State/Local Primary & Special General Election**

For the 2020 June 23, 2020 Presidential/Federal/State/Local Primary & Special General Election, you can vote in person before Election Day.

#### **What is Early Voting?**

Voters can vote in-person before Election Day at one or more sites in their county

#### **Who can vote early?**

All registered voters can vote early

Exhibit F

**Livingston County Early Voting Polling Hours**

SATURDAY, JUNE 13, 2020: 9:00AM TO 2:00PM

SUNDAY, JUNE 14, 2020: 9:00AM TO 2:00PM

MONDAY, JUNE 15, 2020: 8:00AM TO 8:00PM

TUESDAY, JUNE 16, 2020: 8:00AM TO 4:00PM

WEDNESDAY, JUNE 17, 2020: 8:00AM TO 8:00PM

THURSDAY, JUNE 18, 2020: 8:00AM TO 4:00PM

FRIDAY, JUNE 19, 2020: 8:00 AM TO 4:00PM

SATURDAY, JUNE 20, 2020: 9:00AM TO 2:00PM

SUNDAY, JUNE 21, 2020: 9:00AM TO 2:00PM

**Where can I vote early?**

Livingston County Voters can vote at the

6 Court Street, Room 104 Geneseo, NY 14454

### **How will I vote during early voting?**

Voting during early voting is the same as voting on Election Day. When you get to the early voting center, you will check in to vote, receive your ballot and vote as any other election. **Once you vote early you will not be eligible to vote on Election Day, your vote will already have been cast.**

### **When will early voting results be posted?**

Early voting votes will be canvassed and reported after 9pm on Tuesday, June 23, 2020

### **Can I still vote by absentee ballot?**

Yes, If you are out of your home county, or if you are permanently or temporarily disabled, ill (Covid19) or are the primary care giver for one or more people who are ill or physically disabled, or a resident of a Veterans Hospital, or detained in jail awaiting Grand Jury action or incarcerated for an offense other than a felony you may apply for an absentee ballot.

### **How can I find out more about Early Voting?**

You can contact the Livingston County Board of Elections at 585-243-7090 or the

State Board of Elections at 518-474-1953 or [www.elections.ny.gov](http://www.elections.ny.gov)



**Can I still vote by absentee ballot?**

Yes, If you are out of your home county, or if you live in New York City, are outside of the five boroughs, or if you are permanently or temporarily disabled, ill or are the primary care giver for one or more people who are ill or physically disabled, or a resident of a Veterans Hospital, or detained in jail awaiting Grand Jury action or incarcerated for an offense other than a felony you may apply for an absentee ballot.

**How can I find out more about Early Voting?**

Contact the Wyoming County Board of Elections at 585-786-8931 or the New York State Board of Elections at 518-474-6220

Orleans



## Orleans Data

Aina, Eileen <Eileen.Aina@orleanscountyny.gov>  
To: "AUSTIN@VOTEMCMURRAY.COM" <AUSTIN@votemcmurray.com>

Mon, Jun 1, 2020 at 8:52 AM

Hi Austin

Here is some information you requested. Please let me know if you have any questions.

Eileen

Eileen Aina

Deputy Commissioner

Orleans County Elections

14016 Route 31 West, Suite 140

Albion, NY 14411

Phone: (585) 589-3270 Fax: (585) 589-2771

<http://www.orleanscountyny.gov>

### 3 attachments

 All Absentees 6.01.2020 AM.csv  
384K

 Early Voting Hours.xlsx ✓  
14K

 Poll Site List.pdf ✓  
17K

Ex.G

ERIE



## Voting info for June 23

**Austin Morgan** <austin@votemcmurray.com>

Thu, May 28, 2020 at 2:51 PM

To: Justin.Rooney@erie.gov

Hi Justin,

Just looking for a few pieces of information as EV and ED get closer and closer:

- A list of locations, along with dates and associated times, for early voting
- A list of finalized locations for voting on election day
- A list or description of procedures that voters will need to follow to vote in-person (e.g., mask, gloves, sanitation, distance, etc.)

Thank you again for all your help so far. We've been doing everything possible to educate on absentee voting, walk voters through the application process, and generally calm anxieties over the changes this election cycle. I know you've been hard at work keeping this election on the rails, and we're so grateful for everything you continue to do to bolster the democratic process in this difficult time. Please let me know if you have questions or need any clarification on the above.

Exhibit A

On Mon, Jun 8, 2020 at 4:38 PM Toth, Jeremy <Jeremy.Toth@erie.gov> wrote:

I am waiting for my Commissioners to meet and discuss what they want to do.

It is my understanding that the locations were sent to the state some time ago and that all locations have been finalized. I do not have any particulars yet. Once I get more information I will share with you.

Thanks.

--

**Jeremy Toth** | Second Assistant County Attorney  
Erie County | Department of Law  
95 Franklin St., 1634 | Buffalo, NY 14202  
P:+1(716)858-2204 | F:+1(716)858-2281  
[Jeremy.Toth@erie.gov](mailto:Jeremy.Toth@erie.gov) | <http://www.erie.gov>

On Mon, Jun 8, 2020, 4:22 PM Arthur Schwartz <[aschwartz@afjlaw.com](mailto:aschwartz@afjlaw.com)> wrote:

Please see the attached application which I will be filing shortly , as a follow up to our conversation. My brief will follow this evening.

***Arthur Z. Schwartz***

***Principal Attorney Advocates for Justice Chartered Attorneys***

***President- Advocates for Justice Legal Foundation***

***Political Director- NY Progressive Action Network***

***Democratic District Leader - Greenwich Village, NYC***

***Law Co-Chair - Manhattan Democratic Party***

[225 Broadway Suite 1902](#)

[New York, New York 10007](#)

[Office: 212-285-1400](#)

**Cell: 917-923-8136**

Fax: 212-285-1410

***"Our lives begin to end the day we become silent about things that matter."***

***"We must accept finite disappointment, but never lose infinite hope."***

***"The time is always right to do what is right."***

**Martin Luther King**